

Yemaya

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ICSF's NEWSLETTER ON GENDER AND FISHERIES

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From the Editor

Dear Friends

The tsunami of 26 December 2004 has been devastating. It has taken lives. It has destroyed livelihoods. It has rendered hundreds of thousands homeless. The scars and trauma will remain for a long time.

Reports from several countries, including India, Indonesia and Sri Lanka, indicate that more women and children died in the tsunami than men. Several reasons have been put forward for this sex difference in casualties: women were weaker; the clothes they were wearing hindered their ability to flee; they did not know how to swim or climb trees; they got delayed trying to rescue their children; they were on the shore selling fish/ waiting for fish landings, and so on.

Whatever the reasons, more women and children fell victim to the tsunami. Reports describe the difficulty facing men now left alone to bring up children and run households, the anguish of parents whose children have been washed away, and the travails of women left without their husbands.

In this issue of *Yemaya*, we carry excerpts from several reports about women in tsunami-affected areas. We have a report on issues raised by women victims of the tsunami disaster, during public hearings held in Tamil Nadu, India. Women's groups and agencies have come out with various sets of recommendations highlighting the need for gender-sensitive relief and rehabilitation measures. The

recommendations put forward by the National Commission on Women in Tamil Nadu, India are included in this issue.

We also carry excerpts from a report put together by the Asia Pacific Forum on Women, Law and Development (APWLD), describing some of the main issues facing women in affected countries, and key recommendations.

Women's groups working in disaster areas have often stressed that recovery is not a simple process of recreating what was there, but an opportunity to build a better society. They have stressed that actions to reduce vulnerability of social groups and increase gender equality must be included in the recovery proposals. In this context, the recently announced shelter policy of the government of the tsunami-hit south Indian State of Tamil Nadu, which provides for joint ownership of reconstructed houses, is interesting and relevant.

Three months after the disaster, people are slowly trying to pick up the pieces and to start living again. Some fishing has started, nets and boats are being repaired, and the beaches are no longer desolate and deserted. Women can be seen starting small trading and economic activities, some even as they are still in the relief camps.

We express our solidarity with tsunami-affected communities and salute their resilience in the face of such a great disaster and loss.



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Asia/ India**Women's demands**

Women who participated in public hearings organized in Tamil Nadu, India, highlighted many problems they faced in the aftermath of the tsunami

By Neena Koshy, Programme Associate at ICSF's Documentation Centre

Women suffer most during disasters. It was no different in the case of the Indian Ocean tsunami. The responses of different agencies as well as that of government shows that even in the 21st century, men continue to be seen as the breadwinners of the family—the loss of their assets and means of earning are considered more grave than the loss of women's livelihoods. This happens even if it is proved, time and again, that women contribute equally or even more to the income and wellbeing of a family.

Consider a fishing household. The women, apart from doing household chores, contribute actively towards the family income through processing and selling fish. The tsunami destroyed women's livelihoods as well, but efforts to restore their livelihoods are relatively limited.



To listen to the grievances of the tsunami-affected, public hearings were conducted in different parts of Tamil Nadu. They were organized by the People's Union for Civil Liberties (PUCCL) in collaboration with other organizations and unions. In total, nine public hearings were held—eight district-level and one State-level. More than 7,000 men and women attended these hearings.

While a large number of issues and problems were highlighted at the hearings, the women who participated stressed problems specific to them, namely:

- Women whose livelihoods have been affected have not been compensated so far, though their numbers are large. Women are involved in fish marketing and processing, and in other petty businesses near the coast. When the tsunami struck, they lost all their assets (ranging from the fish they bought just before the tsunami and the vessels used to carry fish to the market, to the implements in processing units).
- Women are unable to pay back the loans they had taken prior to the tsunami, for the purchase of fish. It is the usual practice to pay back these loans after the fish catches have been sold. The tsunami, however, took away all the fish, plunging women into losses and leaving them credit-unworthy in the local market.
- There is a clear male bias in relief and rehabilitation. Bureaucrats consider women unworthy to discuss rehabilitation and reconstruction processes. When women go with petitions, they are shown the door and asked to send their husbands instead for discussions.
- The money given for relief by the government has, in many cases, been spent by the men on liquor, so that the household did not benefit in any substantive way. The government had not shut down liquor shops on the days the compensation was distributed.
- The compensation for the loss of craft and gear is based on the list available with fishermen's societies. This list represents only men and not women (both widows and women abandoned by their husbands) who also owned boats.
- Provision of relief (like food and other necessary items) to families did not take into consideration single women in the community. One woman said that widows who are still living with their husbands' families are really suffering. Relief materials are given to one household, irrespective of the number and type of dependents. In such cases, widows in joint families suffer because the family could exclude them.
- In many areas, wells and water sources have been contaminated by the tsunami. Women, as the ones responsible for fetching water, now have to cover greater distances to get water. It was reported that in some areas, they now have to

travel more than 5 km for clean drinking water or else buy water from those who capitalize on the opportunity by selling water at unaffordable prices (Rs.5 or US\$0.1 per pot of water, approximately 5 litres).

- Several women have lost their children to the tsunami. A good number of them had earlier undergone sterilization. There are women who are interested to consider options like fallopian tube re-canalisation to have more children. The government has declared a grant of Rs.25,000 (US\$571) for re-canalisation operations for deserving couples. There are also reported incidents of sex determination tests and a strong preference for the boy child.
- Temporary shelters lack proper sanitation, indicating the gender-insensitive nature of government and private rehabilitation efforts.
- Though sanitary napkins are necessary for the hygiene of women, they have still not been made available in adequate quantities.

The women at the hearings demanded that all the above problems should be addressed. In addition, they made the following demands:

- Women's co-operatives should be initiated.
- Special schemes for widows for income generation should be started, along with other special schemes for widows, destitutes, single women, etc. Widows' pensions should be disbursed with minimum bureaucratic hassles.
- Women who have lost their implements/assets to the tsunami should be compensated adequately.
- Money for house construction should be given directly to the affected people through women's self-help groups to ensure that it benefits the family.

Education

- With the decrease in the earnings of tsunami-hit families, the education of children has stopped for want of money to pay fees. Although tsunami-affected children are exempted from paying fees in government schools, children of private schools are facing great difficulty.

Drinking water

- The tsunami contaminated drinking water sources in the villages. In some villages, people have to purchase water or walk 5 km to get water for their daily needs.

- Some villages have overhead tanks filled with water from neighbouring villages. There are now protests against other villagers taking water from these tanks, as there is a huge scarcity of potable water.

Relocation and temporary sheds

- There were complaints that the temporary sheds were unsuitable for families, often lacking privacy. Temporary shelters were being made from tar sheets, extremely hot and unsuitable for the summer months.
- Relocation of fishing communities should be done only after putting in place all the facilities needed for the affected population to lead a healthy and happy life, taking into consideration factors like a playground for children. (Right now, the beach is their playground.)
- If fishermen are to be relocated 500 m beyond the shoreline, then the vacated beach area should be reserved for fishing communities. No other construction—whether hotels or other private industries—should be allowed in this area. Plantations of casuarina and coconut palms can be allowed in the 500-m zone.
- Relocation should take into consideration the fact that fishermen need a clear view of the sea to launch successful fishing operations.
- Even though the government is pressing for relocation beyond 500 m of the shoreline, the temporary shelters are being built very close to the sea, so much so that seawater inundates the area during high tide. This is a strongly felt problem.

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Asia/ India

Rebuilding hopes

These “Recommendations for Tsunami Victims”, dated 20 January 2005, were put forward by the National Commission for Women and the Tamil Nadu State Commission for Women

By Dr V Vasanthi Devi, Chairperson, Tamil Nadu State Commission for Women, and Dr Poornima Advani, Chairperson, National Commission for Women

The tsunami of 26 December 2004 has devastated the coastal communities over long stretches of Tamil Nadu, killing thousands, destroying houses, boats, fishing gear,

agricultural lands and salt pans, and wiping out millions of livelihoods. Nearly a month after the killer waves hit, the National Commission for Women and the Tamil Nadu State Commission for Women, held, on 20 January 2005, an interaction with tsunami victims and civil society organizations working among them, to formulate recommendations for relief, rehabilitation and restoration of livelihoods in the affected areas. The recommendations below that emerged from the interaction were, later in the day, presented to the Government of Tamil Nadu.

Recommendations:

1. Title to permanent houses constructed for tsunami victims must be in the joint names of the woman and the man of the household. The titles must be given with the proviso that any alienation of her share by the woman in favour of the man would be, *ipso facto*, considered invalid. Female and male heirs of beneficiaries will have equal rights of inheritance.
2. Rehabilitation and restoration work in each affected community must be formulated and implemented in a participatory process, in consultation with the concerned community, including its women, and not purely by bureaucratic decisions.
3. A sustainable livelihood security strategy should be evolved based on the principles of gender equity and social inclusion.
4. Women of the fishing communities and also other women living in the area, who were involved in selling fish, have completely lost their livelihoods. They must be counted separately as tsunami-affected, and special relief packages must be offered to them. Alternative livelihood options must be provided for them until they are able to resume their former economic activities.
5. Separate enumeration of pregnant women and lactating mothers in the tsunami-affected areas must be made. Special relief packages, including full nutritional support, must be offered to them all through their pregnancy/lactation period.
6. The traumatic effect of the disaster on pregnant women must be assessed, and special medical care, including necessary scanning and psychological counselling, must be immediately offered to them free of cost.
7. Liquor shops run by the government's Tamil Nadu State Marketing Corporation (TASMAC) in the affected areas are reporting roaring sales as men make a bee-line to them, with relief amounts in their hands, apparently to get over the tsunami-induced gloom. The TASMAC centres in the tsunami-affected districts must be closed for at least a month.
8. To ensure that relief amounts fully benefit children and families, the amounts must be paid to the women of the households.
9. In many tsunami-hit shores, trees and bushes that provided toilet cover for women have been destroyed. Children, who normally went to the water's edge to ease themselves, are now totally scared of the sea and would not venture near it. So, toilets must be constructed immediately to allow women privacy and also for the sanitation of the area. These must be provided even in temporary shelters.
10. Protected water supply must be provided to the affected communities.
11. A number of self-help groups had been functioning among women of the fishing community, and these have been badly hit by the tsunami. The loans of these self-help groups must be written off. If it is not totally feasible, then the loans must be rescheduled according to the repaying capacity of the shattered communities.
12. A policy for adoption of children orphaned in the calamity must be evolved, with great care and concern and in consultation with the community. Experienced social workers and childcare organizations of repute must be asked to study the specific context of each child and propose the suitable arrangement for each child. Decisions in matters of adoption should not be taken as per a blanket government order, however well-intentioned it is.



13. Children in the affected areas have suffered a complete disruption of their studies, loss of study materials and loss of family members, resulting in great psychological trauma. Schools must be immediately opened and children put on the return path to normalcy. Psychological counselling must be arranged in all the schools in the areas.
14. The printing and supply of textbooks and notebooks and of uniforms by the Tamil Nadu government is, no doubt, a welcome measure. However well-intentioned it is, it will take time to supply study materials to children in all classes. Priority must be given to children in the tenth and twelfth standards and study materials must be immediately supplied to them. Special coaching for them, free of cost, must be arranged to enable them to face their examinations with confidence.
15. The examinations for the tenth and twelfth standards in tsunami-affected areas must be postponed.
16. As for children in other classes/standards, in view of the devastation they have experienced, all of them in the affected areas must be promoted to the next higher class at the end of the year.
17. Adequate supply of kerosene, free of cost, for families to resume cooking must be ensured until normalcy is restored.
18. Landward housing sites for fishers and other affected families must be provided. The new houses should respect the 500-m coastal regulation zone and should be ecologically designed. They should also be close to their earlier locations, to ensure the fishing community its lifeline to the sea.
19. The design of the houses must be decided in consultation with the communities and experts in disaster-proof housing.
20. In places like Chennai, many hutments along the seashore had been occupied by tenants, who lost everything when the waves hit. In such cases, relief and rehabilitation entitlements must be given to the actual losers, after careful verification.
21. Women rendered destitute by the disaster should be rehabilitated in their own community to the extent possible, providing them with adequate livelihood security and independent housing. They should not be herded into destitute homes.
22. The need for counselling and trauma care for victims is being stressed. The government is training a large number of teachers and social workers to serve as counsellors. The counsellors must be allotted to specific communities for a certain length of time. They should establish a relationship with the community to generate a confidence in them.
23. The non-fishing affected communities, like agriculturists, those engaged in occupations ancillary to fishing, salt pan workers and so on must have the same entitlements as the affected fishing people.
24. Massive food-for-work programmes must be undertaken in all the affected areas. Women must be given at least 50 per cent of the employment generated by the programmes.
25. A special "Food for Livelihood Revival and Eco-Protection" programme should be initiated in all the affected areas. The programme should be sanctioned for a year and should aim at creating assets for the tsunami-ravaged areas. The precise priorities can be developed for each village in consultation with local *panchayats*, particularly with its women.
26. Most of the works can be entrusted to self-help groups (SHGs). Priority works to be undertaken through the above schemes are:
 - raising of mangrove forests, with appropriate species, to serve as speed breakers during tsunamis and other coastal storms and also as carbon sinks
 - organization of community nurseries of mangrove and other appropriate tree species
 - building artificial coral reefs
 - reclamation of salinized soils for restoration of agricultural lands
 - integrated capture and culture fisheries. Women of fisher families can be trained to take up the rearing of prawns and suitable salt-tolerant fish species in canals along the sea coast, using low external-input sustainable aquaculture techniques.
27. The tsunami calamity provides an opportunity for achieving a paradigm shift from unsustainable to sustainable fisheries. The major aim of aquarian policy must be the conservation of living aquatic resources, sustainable use, equitable sharing of benefits, and harmony between artisanal and mechanized fishing.
28. School buildings and *aganwadis* in the area, which were already in a pathetic state of disrepair, have collapsed in the tsunami. They should be rebuilt to be attractive and child-friendly, with all the necessary facilities. They should become

centres for rebuilding the shattered confidence and hopes of the communities. This requires well-trained teachers, to be posted in adequate numbers (one per class, whatever be the class size). Part of the funding for reconstruction must be utilized for strengthening the public school system in the area.

29. A good number of persons seem to be missing. Attempts must be made to declare them dead at the earliest. The commissions are particularly concerned about young women, who may have to wait for a long time before remarrying, if the husbands are not declared dead. It would be in the interest of victims to put their lives back on track by re-marriage or completing other legal formalities one year after the tragedy. The stipulation of seven years as the "presumption of death" period as per Hindu Succession Act and the Indian Evidence Act is too long, particularly in the context of a calamity that has claimed many lives. Necessary amendments to the Acts at the Central and State levels must be considered to curtail the length of the period.

European Union/ Netherlands

Fisherwomen for fisherwomen

Women of fishing communities in the Netherlands have been raising funds in solidarity with women of tsunami-affected fishing communities

By Cornelia Quist, a member of Vinvis and a member of ICSF

Immediately after the tsunami hit the coast of several regions in Asia, the women of VinVis, the women-in-fisheries network of the Netherlands, contacted one another to discuss what action to take. The traditional fishing communities were obviously affected most by the tsunami and being fisherwomen themselves, the VinVis women felt deep sympathy with the victims. On 31 December 2004 they registered a new organization called "Fisherwomen for Fisherwomen in Asia", and began to raise funds in their local communities. They distributed self-made posters and information flyers through the local shops, schools, fish market and auction. They approached schools to mobilize the children in support of their campaign. They sent press releases to the local, regional and even national media. The response was good and their action also caught attention at the national level. All funds raised by VinVis are meant for reconstruction activities

in fisheries, in particular activities that benefit fisherwomen and their families.

Fundraising actions in support of the tsunami victims have been massive in the Netherlands and also in Europe. There is a severe competition between various private initiatives, all wanting to help from their own perspective. In particular, the affected tourist belts in Sri Lanka and Thailand are very popular targets for fundraising, and many villages and fishing families in these areas are "adopted" by various private initiatives started by people who had visited as tourists. But also from the fisheries sector there are many private initiatives that raise funds to help affected fishing communities with new boats and gear. Many of these initiatives, though well-intentioned, carry the risk of causing all kinds of new disruptions.

To help the tsunami-affected fishing communities in Asia in an appropriate way is a complex thing and, therefore, VinVis is very glad to have contacts with fisher(wo)men's organizations that represent the interest of the affected fishing communities in Asia. Through these contacts, VinVis has immediate and genuine information channels to learn about the real problems and needs. VinVis wants to be assured that the rehabilitation projects they support are planned in consultation with the affected fisherwomen and are of real benefit to them.

VinVis, therefore, feels it is not only her responsibility to raise funds to help the victims, but also to raise awareness and to warn against all forms of help that could create ill-effects for local circumstances and environment and cause social disparity and conflict among the fishing community. That is why VinVis



campaigns against the transfer of fishing boats and gear from Europe, but also warns against the indiscriminate distribution of locally made boats and gear. VivVis also advocates that aid should focus not only on the rehabilitation of fish capture activities, but also pay attention to the post-harvest activities, which provide an important source of livelihood for women of fishing communities, and to a community-based management of the resources.

VinVis tries hard to encourage co-ordination and co-operation where it concerns aid from private initiatives in the Netherlands to the affected fishing communities in Asia. VinVis also strongly promotes the foremost necessity of consulting fisher(wo)men's organizations from the affected areas. VinVis realizes that reconstruction is a long-term process and, therefore, needs solidarity, partnership and commitment. Do you feel the same?

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Asia

Women victims

Concluding comments from Oxfam Briefing Note 13 (March 2005) on The Tsunami's Impact on Women

As this briefing has demonstrated, the evidence available to date shows that the tsunami has had a greater impact on women than on men. In each of the three locations considered, the information (though partial) consistently demonstrates that many more women than men appear to have been killed in the disaster. The briefing also shows that in Indonesia, Sri Lanka and India, problems are already becoming apparent as a result of this disproportionate impact. Action needs to be taken now if we are to avoid short-term impacts turning into long-term problems.

Generalizations about why women died are not always helpful in understanding complex and diverse processes. On the contrary, they may create an image of women as "vulnerable victims". This contributes to their widespread exclusion from decisionmaking: in Aceh, for example, the structures debating the "master plan" for the reconstruction of the province are almost exclusively male, and women's organizations are struggling to take part in consultation systems. Yet it is clear that the different death rates among women and men have implications for individuals and their

communities, and for the relief and reconstruction response. These differences need to be more clearly understood.

Consulting affected women and men at all levels is the way to ensure that what is provided is indeed what people need: whether it is formula for babies in camps in Sri Lanka, among whom mortality levels are a concern; or the underwear and sanitary protection many women ask for; or the physical design of kitchens in the resettlements in Aceh, where the wind blows out cooking fires as soon as they are lit; or the location of bathing cubicles for women nearer their homes, so that they have some privacy.

Beyond the loss of life, Oxfam's beneficiaries state that their lack of income is their biggest concern. As local fishing is a seasonal occupation, women's livelihood activities play a critical role in maintaining the household economy. Insufficient consideration is being given to revitalizing work normally done by women, including agriculture (certain crops, in particular) and other trading and livestock-rearing activities. Loss of income and inability to access cash will not only deepen the poverty of communities, and especially women within those communities, but could also create dangers of immediate (sexual) exploitation, and forms of dependency from which women will find it hard to recover.

In particular, conflict in Aceh and in the northeast of Sri Lanka has left a legacy of human rights abuses and a history of sexual and other violence against women. Reports have been received from affected areas of verbal and physical harassment and inappropriate behaviour by men in camps and settlements (while bathing, for example), and of great fears in the packed resettlement sites. In Aceh, for instance, national and international agencies are expressing concern at the physical conditions (overcrowding, lack of privacy, distance from places of origin) and their possible consequences for the safety and decorum of women who are sharing small rooms with up to four other people.

Responses: small and big things that make a difference

Actions can and must be urgently taken to ensure that the needs of women and men are adequately addressed, and that the disproportionate impact on women is factored in. This is key to the recovery of communities. Responses should include the following considerations:



- All those involved in humanitarian assistance and policymaking must collect and use sex-disaggregated information.
- The protection of women from sexual violence and exploitation must be a priority, even when information is slow to emerge (particularly in certain settings such as conflict and the consequent presence of military personnel; when young women are alone; times when alcohol consumption among men is on the increase, etc.).
- The manner of delivering aid must use and abide by the highest standards for protection and accountability. This includes systems for the protection of women and for reporting and dealing with any incidents of abuse or misconduct.
- It must be ensured that earning opportunities are accessible to both men and women, whether in immediate cash-for-work programmes or in more sustainable livelihood programmes. This is essential to revitalize local economies by unleashing the potential of all. It also avoids creating or strengthening forms of (sexual) exploitation and dependencies. Even within the boundaries of what is allowed by local culture, it is possible and necessary to go beyond the “cooking and sewing” projects to which women are often relegated, so that new opportunities for established and non-traditional occupations are open to them.
- Genuine participation, at all levels, implies not only talking to women and men when assessing needs, delivering aid or evaluating the

effectiveness of interventions in camps, villages and cities that are on the road to recovery. It also implies developing creative strategies to overcome the limitations of the near uniform domination of men in leadership structures in the countries affected.

- Participation also implies a change of mindset: from perceiving women as “vulnerable victims” to respecting their rights as citizens with specific perspectives and capacities. Agencies such as the World Bank, the Asian Development Bank, international NGOs, donors and governments have an obligation to lead the way.
- Serious consideration must be given to the demographic changes (as well as cultural values) in the countries affected, so that the rights of women as well as men, in property, education, family formation and reproductive health, are protected and promoted in all policies and interventions.
- Provision of relief aid and long-term policies must be based on awareness of current and emergent patterns of family and household formation, rather than on an abstract notion of the “nuclear family”. The composition of households is never generic and the tsunami has further complicated the picture. A one-size-fits-all policy will not work.
- If conditions of gender inequality determine who feels the impact of disasters, and how, then providing the finances that have for so long been promised to meet the gender-specific Millennium Development Goals has to be one of the best forms of disaster-preparedness for the future.

http://www.oxfam.org.uk/what_we_do/issues/conflict_disasters/downloads/bn_tsunami_women.pdf

Asia/ Thailand

Protect rights of women survivors

Excerpts on Thailand from report on Women's Human Rights Concerns in Tsunami-affected Countries, brought out by the Asia Pacific Forum on Women Law and Development (APWLD) on 22 March 2005

The tsunami affected six provinces in southern Thailand located along the coastlines of the Andaman Sea: Phuket, Krabi, Sathun, Ranong, Trang, and the hardest hit province of Phang Nga. Three groups have been

identified among the people affected by the tsunami in Thailand: (1) residents of the six affected provinces: fisherfolk, mainly Muslim; sea-gypsy communities; employees and owners of tourist businesses and hotels; small-scale business groups and hawkers on the beaches and agriculturists; (2) non-residents of the affected provinces: tourists, both Thai and foreign, migrant workers from various parts of Thailand and from the neighbouring countries, mainly Burmese migrant workers; and (3) workers in the service sector, now unemployed due to suspended businesses. These groups include marginalized women such as heads of household, women hawkers, small traders, sea gypsy women, labourers, migrant workers, sex workers and workers in the entertainment industry. They lack access to the relief assistance and cannot voice their concerns.

The Thai government has been providing relief support to the affected people, including loans for big businesses, temporary housing, monetary compensations for the destroyed boats and assistance to the orphaned children. Nine sub-committees have been appointed to monitor the rehabilitation projects. However, in many cases, the tsunami survivors have problems accessing relief assistance due to several factors.

Lack of access to information, and discriminatory and inflexible procedures

Many women in fisheries and their families, sea gypsy communities, sex workers, entertainment workers, migrant workers and small traders, cannot access various types of government assistance that require documents such as identification cards, social security cards, boat registration documents, and so on. They either lost the documents or did not have them in the first place. They also lack information on the assistance, procedures and documents required. Hence, they do not receive relief food and assistance or compensation from the government. The sea gypsy villagers in some islands still need food support, especially rice. Women and their families staying with their relatives, not in the camps, are also denied assistance. The less affected areas seem to have been left out of the relief assistance, especially for food. The affected internal migrant workers who went back to their hometowns in other regions of Thailand have not received any compensation or assistance.

Assistance not based on the real damage

Women in the fisheries complain that the flat assistance rate of 20,000 Bht (US\$500) is not sufficient to repair the damaged boats and fishing or nurturing equipment.

In some islands, for example, Koh Lanta, villagers received only partial boat assistance to pay for the repair of engines. Most fisherfolk cannot access even this partial assistance as they do not have boat registration documents. They also have high debts from the pre-tsunami period and, therefore, are not eligible to borrow more loans. So they struggle to make ends meet.

The right to land and housing

Many women and their families, especially sea gypsy groups, fisherfolk and others who lived on the seashore, have been deprived of their rights to the land they used to live in for decades. It is reported that as many as 32 villages in the affected areas may have been wiped out of the map of Thailand because private corporations have claimed ownership to the land in many villages right after the tsunami. A woman who had lived in her house for 30 years in Nam Khem Village, Takua Pa district, Phang Nga, said her house and land were fenced off so she could not even get into the premises to search for her daughter who has been missing after the tsunami. She also received life-threatening phone calls. Several other families in her neighbourhood are in the same predicament. Their houses happen to be located on the land leased by the government to the mining companies. The question is how these private corporations claiming the land have obtained land titles.

Sea gypsy communities living near the beaches face the same predicament and have been fighting for the land they have been residing on for a hundred years. In Ranong province, villagers' lands have been claimed by the national park.

These communities face housing and livelihood problems due to the loss of land. They are forced to relocate to places far from the sea from which they make a living. If they refuse to move, they will get only partial compensation for their houses, which would be meager.

Lack of participation and special attention to the needs of women and children

The affected communities, including women, are not consulted by the agencies providing relief assistance. Some women expressed the need for educational support for their children (at least 500 baht or US\$10 per month) and some educational activities for children for the coming summer holidays.

Safety and gender-based violence at internally displaced persons (IDP) camps

It has been reported that a teenage girl was harassed by a man in a women's toilet at an IDP camp in Takua

Pa district, Phang Nga province. This raised a question of safety and the trend of gender-based violence at IDP camps.

Violation of labour rights and assistance to labourers

There are reports of widespread violation of labour rights of tsunami survivors. Female workers in the service sector such as entertainment workers, workers at resorts, hotels or massage parlours, in addition to not being able to access the government assistance for lack of required documents from the employers, do not receive redundancy compensation when their employers' businesses close down. Loopholes in the labour law (Section 75 of the Labour Protection Law) and the employers' evasive tactics contribute to the lack of access to the social security fund.

Environmental concerns

Affected communities, especially the fisherfolk, face environmental problems which they cannot solve without assistance of the local and central governments; for instance, a river mouth must be cleaned of sand deposited by the tsunami to let fishing boats in.

Recommendations

Short-term recommendations

Right to information and non-discrimination

- The Thai government must disseminate information about assistance through different channels to ensure that the affected communities, especially the marginalized groups, including women, have access to the assistance.
- The assistance must be based on the survey of real damages so that the survivors receive adequate assistance to facilitate their recovery and self-sufficiency.

Economic and social rights

- Land rights: Land titles of business companies claiming lands of affected people must be examined so that the survivors' right to land is respected.
- Housing rights: Affected communities must be consulted about their housing needs. The ongoing construction of houses that do not suit their need must be stopped.
- Labour rights: The government and private employers must provide adequate compensation and assistance to affected workers and migrant workers, both internal and foreign, according to the law.



Right to safety

- Safety must be guaranteed to women and girls in IDP camps. Adequate measures must be taken to prevent violence against women and children.

Special attention to the needs of women and children

- Trauma counselling must be provided for women and children survivors of the tsunami.
- Revolving funds for women must be established to facilitate income generation. Vocational training for women should be provided.
- Special support for women, especially heads of households, must be provided, for example, education support for their children.

Long-term recommendations

- The affected communities, including women, must be able to participate in the rehabilitation management, including environmental and coastal resources management.
- The government must facilitate social and economic reconstruction of the affected communities by providing access to fair and adequate funding to enable employment generation and restoration of livelihoods. Government development plans must not hinder employment generation opportunities as there are concerns about the government plan to issue a Bill on special economic zones in the tsunami-affected areas.

The full report put together by APWLD can be downloaded from http://www.apwld.org/tsunami_humanrights.htm

Asia/ Thailand

Plight of Burmese migrants

Excerpts from a report on Women's Human Rights Concerns in Tsunami-affected Countries, brought out by the Asia Pacific Forum on Women Law and Development (APWLD) on 22 March 2005, on the situation of women in tsunami-affected regions

Over 120,000 Burmese migrants and their dependents registered with the Thai authorities in the four provinces in the south of Thailand were issued temporary identity (ID) cards, according to July 2004 statistics. Most of them lost their cards during the tsunami. Of them, about 7,000 were employed in the sectors most affected by the tsunami: fisheries, construction and tourism. There are also many unregistered migrants working illegally in Thailand who have lost family members, their homes and their jobs. Most unregistered migrants are women.

In the tsunami aftermath, the Thai government started arbitrary arrests and forced deportation of Burmese migrant workers. Due to the pressure from both inside and outside the country, arrests and deportation were stopped. However, two months after the tsunami, Burmese migrant workers are still hiding in the hilltops, among plantations of coconut, rubber and banana. Some migrants have also gone to neighbouring provinces in search of work, and are staying with friends and relatives. Many intend to return to the tsunami-affected areas soon and seek work with their employers, hoping that by that time they would also have recovered and be ready to employ them again. Some of them have got back from Burma and neighbouring provinces because they heard that there have not been any arrests recently and that NGOs are providing assistance to re-issue work permits and emergency relief supplies.

Burmese migrant workers who survived the tsunami need the State authorities to reissue their temporary ID cards as quickly as possible. Without the cards, they have no right to stay in Thailand, have no access to health services and cannot apply for a work permit. They are forced to live in a climate of fear, desperation and humiliation.

Migrants with children, who lost a spouse, are worse off but do not dare to go back to Burma as they have heard reports that migrants returning from the tsunami-affected areas have been arrested, fined, imprisoned or forced to dig graves. Currently, the Thai authorities are not arresting or deporting migrants back to Burma.

Due to the humanitarian crisis in the area, most migrants are not engaged in paid employment. Employed

migrants are not receiving regular pay since their employers also suffered huge losses during the tsunami. Relief is provided as an intermediary form of survival for migrants waiting for paid work to become available.

Many employers have lost family members and their livelihood, and have become stressed and financially insecure. As a result, some employers are unable, and sometimes unwilling, to pay migrants. Coercion has been reported where employers have not allowed migrants to leave the work sites at fishing areas.

Migrants who lost their ID cards during the tsunami, or whose employers who were holding their cards, died during the tsunami receive assistance from the TAG team, a migrants' rights NGO, at Takuapa District office. They helped search for the details of their registration for a temporary ID card, and the district office re-issued the cards. To date, 93 migrants have had their cards re-issued.

About 7,000 migrants registered in Takuapa district for the temporary ID card. Of them, 5,139 registered for a work permit. The total number of migrants who registered for the temporary card in all the districts of Phang-nga was 30,572 (20,391 men and 10,181 women).

The process of re-issuing cards is slow due to many factors. Migrants are spread out throughout the country, and they get information mainly by word of mouth. Also, they are still intimidated to meet Thai authorities. There are technical problems: lack of staff and office space, an old computer-search mechanism, and need for Burmese-speaking volunteers. Solving these problems would speed up the process of re-issuing cards to, at least, 130 a day. Currently, it is limited to 10 cards a day.

The Thai government must ensure protection of aid workers who are facilitating the return or re-registration of migrants. Burmese migrants who have organized themselves into outreach teams are facing harassment and arrest, and yet they are the only people who speak the same language and who other migrants will trust, the only people who could find the migrants in their hiding places to ensure they had food and shelter. Three Burmese World Vision aid workers, one of them a woman, were locked up in a cage in Baan Tab Lamu fishing village in Phang Nga province because the employer was angry with them for facilitating Burmese migrant workers to go back home after the tsunami.

The following are the main concerns of the migrant women:

- With most migrants hiding in the jungles, it is obvious they do not have access to basic medical assistance and have problems accessing food.
- Most migrant women do not have access to reproductive health services.
- Many expecting mothers do not have access to prenatal care and safe delivery.
- Mothers with young children need better nutrition; mothers with low breast milk production need regular milk supplies for their children.
- Tsunami survivors do need psychological counselling or mental healthcare, which is not available to them.
- There are a lot of male migrants who lost their wives and are taking care of their children. They need special assistance. On the island of Koh Khao, a man was taking care of three children (3- and 7-year old and an 8-month baby), and the children were sick.

The full report put together by APWLD can be downloaded from http://www.apwld.org/tsunami_humanrights.htm

Useful websites with information on gender and disaster

UNIFEM

<http://www.unifem.org/campaigns/tsunami/>

The website provides useful resources and articles on gender and disaster, as well as links to other relevant websites.

United Nations Population Fund (UNFPA)

<http://www.unfpa.org/emergencies/pacific/index.htm>

The website provides information on UNFPA's response to the tsunami disaster, and in helping ensure that the special needs of women and youth are factored into the design and delivery of short- and medium-term humanitarian efforts.

Disaster Watch

<http://disasterwatch.net/index.htm>

The website provides information on various resources available on women and disaster, including on short films about the roles women have played in post-disaster reconstruction and rehabilitation.

Asia Pacific Forum on Women, Law and Development (APWLD)

<http://www.apwld.org>

APWLD has put together a report *Women's Human Rights Concerns in Tsunami-affected Countries*, a joint effort of women's organizations and groups involved in relief, rehabilitation and reconstruction efforts in the countries affected by the Indian Ocean tsunami.

YEMAYA

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Please do send us comments and suggestions to make the newsletter more relevant. We would also like names of other people who could be interested in being part of this initiative. We look forward to hearing from you and to receiving regular write-ups for the newsletter.

Writers and potential contributors to YEMAYA, please note that write-ups should be brief, about 500 words. They could deal with issues that are of direct relevance to women and men of fishing communities. They could also focus on recent research or on meetings and workshops that have raised gender issues in fisheries. Also welcome are life stories of women and men of fishing communities working towards a sustainable fishery or for a recognition of their work within the fishery. Please also include a one-line biographical note on the writer